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Attorneys For Defendants
 Bayer Corporation and Bayer Healthcare LLC

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION

CENTER FOR SCIENCE IN THE PUBLIC
 INTEREST, a non-profit membership
 organization, on behalf of itself and its
 members,

Plaintiffs,

v.

BAYER CORPORATION; BAYER
 HEALTHCARE LLC.; and DOES 1-10,
 Defendants.

Case No. No. 09-cv-05379-JSW
 Assigned to: Hon. Jeffrey S. White

**[PROPOSED] ORDER GRANTING
 MOTION TO DISMISS BY DEFENDANTS
 BAYER CORPORATION AND BAYER
 HEALTHCARE LLC**

Complaint Filed: September 30, 2009
Case Removed: November 13, 2009

Date: February 19, 2010
Time: 9:00 a.m.
Place: Courtroom 11

ORDER

The Motion to Dismiss by Defendants Bayer Corporation and Bayer Healthcare LLC having come on for hearing, and after considering all papers and pleadings on file hereon, and the argument of counsel at the hearing of this motion, and having found that Plaintiff's Complaint fails to state a claim upon which relief can be granted, IT IS HEREBY ORDERED THAT the Motion to Dismiss is GRANTED, and the Complaint is DISMISSED WITH PREJUDICE. The Clerk shall enter judgment and close the case.

Dated: _____

Honorable Jeffrey S. White
District Court Judge

Respectfully submitted,

SIDLEY AUSTIN LLP

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